

WEST VIRGINIA'S Seat Belt Law

§17C-15-49

A person may not operate a passenger vehicle on a public street or highway of this state unless the person, any passenger in the back seat under eighteen years of age, and any passenger in the front seat of the passenger vehicle is restrained by a safety belt meeting applicable federal motor vehicle safety standards.

Any person who violates the provisions of this section shall be fined \$25. No court costs or other fees may be assessed for a violation of this section. Points will not be added to an operator's license for violation of this law.

Violation of this law is not evidence of negligence in court; however, the courts may impose a maximum of 5% award reduction for medical damages for failure to wear a safety belt.

EFFECTIVE JULY, 9 2013 WEST VIRGINIA'S SEAT BELT LAW BECAME A PRIMARY OFFENSE LAW. IF YOU ARE CAUGHT IN VIOLATION YOU WILL BE TICKETED AND FINED \$25.00.



WEST VIRGINIA'S Child Passenger Safety Law

§17C-15-46

Every driver who transports a child under the age of eight years in a passenger automobile, van, or pickup truck other than one operated on a street or highway of this state, shall provide for the protection of the child by properly placing, maintaining, and securing the child in a child passenger safety device system meeting applicable federal motor vehicle safety standards: Provided, that if a child is under the age of eight years and at least four feet, nine inches tall, a safety belt shall be sufficient to meet the requirements of this section.

Any person who violates any provision of this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than ten dollars nor more than twenty dollars.

A violation of this section does not by virtue of such violation constitute evidence of negligence, contributory negligence, or comparative negligence in any civil action or proceeding for damages.

If any provision of this section or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this section and to this end the subsections of this section are declared to be severable.

If all seat belts in a vehicle are being used at the time of examination by a law officer and the vehicle contains more passengers than the total number of seat belts or other safety devices as installed in compliance with federal motor vehicle safety standards, the driver shall not be considered as violating this section.

Enforcement of the child passenger safety law is primary. The driver of a passenger vehicle may be stopped and cited specifically for violation of the child passenger safety law. The penalty for violation of the law is a fine of not less than ten dollars nor more than twenty dollars plus court costs.

Seat Belts, Child Restraints, & The Law

Occupant Protection Information
for People of ALL Sizes!



www.dmv.wv.gov/ghsp

REV 4/2015



Safety Information

Facts to Remember About Child Passengers

- The best car seats are ones that fit your child, fit your vehicle, and are used correctly every time.
- Always refer to your specific car seat manufacturer's instructions. Read the vehicle owner's manual on how to install the car seat using the seat belt or LATCH system, and check height and weight limits.
- Replace any car seat and booster seat that has been in a crash; they might have defects you cannot see.
- Your child should have adequate head support. When using a backless booster seat, your child's ears should not be higher than the vehicle back. If using a high back booster seat, your child's ears should not be higher than the booster back or vehicle head rest.

CORRECT SEAT BELT PLACEMENT



- 1.) Shoulder belt is centered on the collar bone
- 2.) Lap belt is positioned on the hips
- 3.) Child has adequate head support from seat and ears are not higher than seat back

Choose the **CORRECT** Safety Seat for Your Child



Infant Seat

An infant seat is the smallest and lightest safety seat made with a carrying handle for easy infant transport. These are designed for infants 20 - 35 lbs depending on the brand and model.

Infants seats are to be used as rear-facing only.



Convertible Seat

A convertible seat is a more versatile seat that is capable of being used as rear-facing or forward-facing.

Convertible seats are for infants and toddlers and can rear-face up to 35 lbs, depending on the brand and model.



All-In-One Seat

These seats are more versatile than the infant or convertible seats. Accommodating infants and toddlers, It can be used as rear-facing, forward-facing, and as a booster seat.



Forward Facing Combination Seat

These seats are forward-facing only, and are equipped with a five point harness system.

When your child outgrows the harness around age 4 and 40 lbs, the harness can be removed. The seat can then be used with a lap and shoulder seat belt as a booster seat.



High Back Booster Seat

A booster seat is used when your child has outgrown a five point harness. They are used with a lap and shoulder seat belt as the restraint. High back booster seats are equipped with seat belt positioners and padded head supports.



Backless Booster Seat

These seats boost the child for correct positioning of the lap and shoulder belts. They can only be used in vehicle seats with headrests.

IMPORTANT GUIDELINES

- Children should ride rear-facing until age 2
- Never place a rear-facing car seat in front of an active air bag
- At age 2, children may ride forward-facing in a five-point harness
- At around age 4 and 40 pounds, a booster seat may be used
- Children should remain in a booster seat until age 8 and 4' 9"
- Children should remain in the backseat until age 13

What everyone should know about seat belts:

1. **Buckling up correctly is the single most effective thing you can do to protect yourself in a crash.** Being ejected out of a vehicle in a crash is almost always fatal.
2. **Air bags are designed to work with seat belts, not replace them.** If you don't wear your seat belt, you could be thrown into a rapidly opening frontal air bag; a movement of such force could injure or even kill you. See www.safercar.gov for more on air bag safety.
3. **Know how to buckle up safely.** The lap belt and shoulder belt should be secured across the pelvis and rib cage, which are more able to withstand crash forces than other parts of your body.
4. **Before you buy a new car,** check to see that it's seat belts are a good fit for you. Ask the dealer about seat belt adjusters, which can help you get the best fit. If you drive an **older model car** that has lap belts only, or if you need a better fitting belt, contact your vehicle's manufacturer for more information.

CORRECT SEAT BELT PLACEMENT



- 1.) Shoulder belt is centered on the collar bone
- 2.) Lap belt is positioned on the hips
- 3.) Child has adequate head support from seat and ears are not higher than seat back
- 4.) Passenger is of sufficient height to sit with knees bending at the end of the seat